UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

DANIEL LAFITTE DUMONDE]	
Petitioner,]	
]	
V.]	No. 3:05-0942
]	Judge Campbell
STATE OF TENNESSEE]	
Respondent.	1	

ORDER

The Court has before it a *pro se* prisoner petition (Docket Entry No. 1) under 28 U.S.C. § 2241, for writ of habeas corpus.

In accordance with the Memorandum contemporaneously entered, the instant habeas corpus petition is hereby DISMISSED without prejudice to the petitioner's right to pursue any available state administrative or judicial remedies. Rule 4, Rules --- § 2254 Cases.

Should the petitioner give timely notice of an appeal from this order, such notice will be treated as an application for a certificate of appealability, 28 U.S.C. § 2253(c)(2), which will not issue because the petitioner is currently unable to make a substantial showing of the denial of a constitutional right.

It is so ORDERED.

Todd Campbell

United States District Judge